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PLEASE RESPOND TO CHERRY HILL

March 14, 2023

VIA ECF

The Honorable Michael A. Hammer, U.S.M.J.
United States District Court
for the District of New Jersey
King Fed. Bldg. & U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Amended Scheduling Order

Re: Supernus Pharmaceuticals, Inc. v. RiconPharma LLC, et al., C.A. No. 2:21-cv-12133-KM-MAH

Dear Judge Hammer:

This office represents the Defendants RiconPharma, LLC and Ingenus Pharmaceuticals, LLC in the above-referenced matter. We write to respectfully request, jointly with Plaintiff, a three-week extension of all dates in the case schedule. Subject to the Court's approval, the Parties have agreed to the following revised schedule:

| <u>Event</u> | <u>Current Deadline in C.A. No. 21-12133 (ECF No. 126)</u> | ^{New} <u>Proposed Deadline</u> |
|--|--|--|
| Defendants to serve "Invalidity Contentions" and "Noninfringement Contentions" and corresponding disclosures (L. Pat. R. 3.6(c)-(f)) for '960 Patent | March 16, 2023 | April 6, 2023 |
| Parties to simultaneously exchange a list of claim terms of the '960 Patent which that party contends should be construed by the Court (L. Pat. R. 4.1(a)) | March 22, 2023 | April 12, 2023 |

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| Parties to simultaneously exchange "Preliminary Claim Constructions" and identification of supporting intrinsic and extrinsic evidence (L. Pat. R. 4.2(a)-(b)) for '960 Patent | March 29, 2023 | April 19, 2023 |
| Parties to exchange identification of intrinsic and extrinsic evidence that each party intends to rely upon to oppose the other party's proposed construction for '960 Patent (L. Pat. R. 4.2(b)-(c)) | April 11, 2023 | May 2, 2023 |
| Parties to file Joint Claim Construction and Prehearing Statement for '960 Patent (L. Pat. R. 4.3) | April 18, 2023 | May 9, 2023 |
| Supernus to serve "Disclosure of Infringement Contentions" and "Responses to Invalidity Contentions" and corresponding documents (L. Pat. R. 3.6(g)-(i)) for '960 Patent | May 5, 2023 | May 26, 2023 |
| Parties to file Opening <i>Markman</i> Submissions for '960 Patent (L. Pat. R. 4.5(a)) | May 12, 2023 | June 2, 2023 |
| Parties to file Responsive <i>Markman</i> Submissions for '960 Patent (L. Pat. R. 4.5(c)) | June 2, 2023 | June 23, 2023 |
| <i>Markman</i> Hearing for disputed claim terms of '960 Patent | June 2023 (to be set by the Court) | July 2023 (to be set by the Court) |
| Close of fact discovery | July 10, 2023 | July 31, 2023 |
| Opening expert reports (for which the parties have the burden of proof) | September 1, 2023 | September 22, 2023 |
| Rebuttal expert reports | November 2, 2023 | November 21, 2023 |
| Reply expert reports | December 1, 2023 | December 20, 2023 |
| Completion of expert discovery | January 2, 2024 | January 23, 2024 |
| Joint Final Pretrial Order | February 1, 2024 | February 22, 2024 |
| Final Pretrial Conference | (To be set by the Court) | (To be set by the Court) |
| Trial | (To be set by the Court) | (To be set by the Court) |
| 30-month stay expiration | As described in ECF No. 108. | |

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If this request is acceptable to the Court, the Parties respectfully request Your Honor mark this letter So Ordered. Thank you for your generous consideration of this matter.

Respectfully submitted,

FLASTER/GREENBERG P.C.



Jeffrey A. Cohen

cc: All counsel of record

SO ORDERED.



Hon. Michael A. Hammer, U.S.M.J.

3/15/2023